



August 25, 2014

## **KANSAS BULLETIN NO. KS300-14-56**

### **SUBJECT: LTP–Highly Erodible Land Conservation Technical Determinations**

**Purpose:** To reestablish FOs' authority to perform Highly Erodible Land Conservation (HELC) technical determinations in their service area

**Expiration Date:** September 30, 2015

In 2010, a memo was sent to all state conservationists (STCs) providing directions to establish separation of duties for HELC and Wetland Conservation (WC) compliance provisions of the Food Security Act of 1985. It also provided four options to perform HELC determinations and status reviews to evaluate producers' compliance with the HELC provisions. All STCs were directed to provide a plan for performing HELC preliminary technical determinations and status reviews. The plans were reviewed and approved by the regional conservationists.

Effective the date of this bulletin and following current national and Kansas Natural Resources Conservation Service (NRCS) guidance, FOs have the authority to perform HELC preliminary technical determinations within their service area. Technical determinations do not have a direct immediate effect on producer eligibility and U.S. Department of Agriculture (USDA) program participants do have the right to request reconsideration. All requests for reconsideration will be completed by a person from another service area.

**This bulletin does not change policy related to HEL whistle blower investigations, the yearly status review process, or wetland conservation compliance.** This will ensure separation of duties on all decisions directly affecting producer eligibility.

**Contact:** Forward questions through established channels to Xiomara Tryban at [xiomara.tryban@ks.usda.gov](mailto:xiomara.tryban@ks.usda.gov) at 785-823-4569.

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